REMARKS

I. Status of the Application

In view of the above amendments and the following remarks, reconsideration of the rejections set forth in the Office Action of March 3, 2010 is respectfully requested.

By this amendment, claims 1-10 and 15-17 have been amended, claims 11-14 and 18-20 have been cancelled without prejudice or disclaimer to the subject matter contained therein, and claims 21-23 have been added. Claims 1-10, 15-17, and 21-23 are now pending in the application. No new matter has been added by these amendments.

The specification has been reviewed and revised, and the amendments to the specification have been incorporated into the substitute specification attached herewith. For the Examiner's benefit, a marked-up copy of the specification indicating the changes made thereto is also enclosed. No new matter has been added by these revisions. Entry of the substitute specification is respectfully requested.

II. 35 U.S.C. § 112

On page 2 of the Office Action, claims 2 and 5 have been rejected as being indefinite regarding antecedent basis issues. Each of claims 2 and 5 has been amended to correct these issues, and withdrawal of these rejections is thus respectfully requested.

III. Prior Art Rejections

Currently, claims 1-11 and 16-19 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Lippe et al. (US 6,171,276).

It is submitted that the present invention, as defined in the amended claims, is now clearly distinguished over the applied prior art for the following reasons. Claim 1 recites an automatic administration instrument for medical use for injecting a drug solution filled in a syringe, said automatic administration instrument comprising: a body for housing the syringe and an injection needle; a first motor for driving the syringe within said body in a direction toward the tip of the injection needle such that the injection needle protrudes from said body; a second motor for operating the syringe to administer the drug solution; a switch provided on said body, said switch being operated by pressing a part of the exterior of said body against a body region of a patient to which the drug solution is to be administered, wherein said switch activates said first motor such that the injection needle protrudes from said body to perform needle insertion into said body region, and thereafter activates said second motor to administer the drug solution.

Lippe et al. discloses a device which has a syringe (3) and a single motor (7) for operating the syringe after the needle (4) has been manually exposed. However, claim 1 has been amended to require a first motor for driving the syringe in a direction toward the tip of the injection needle and a second motor for operating the syringe to administer the drug solution. In contrast, the needle (4) of Lippe et al. is inserted into a patient by causing the cover (8) to come into contact with the patient and be displaced in the axial direction to expose the needle. (See figures 1A-1C and column 15, line 61 through column 16, line 8 of Lippe et al.) Because Lippe et al. does not disclose a first motor for driving the syringe within said body in a direction toward the tip of the injection needle such that the injection needle protrudes from said body and a second motor for operating the syringe to administer the drug solution, Lippe et al. cannot meet the requirements of claim 1.

As discussed in detail in the specification, the claimed configuration of the present application provides significant advantages over the prior art. Specifically, because the syringe is driven by a motor to protrude from the body of the instrument, the administration of the drug solution to the patient is not influenced by the operator's skill and thus there is less variation in the depth of penetration, angle, and speed of needle insertion and removal. As such, a safer and more reliable instrument is provided and the fear of the patient is reduced. Applicants thus submit that the above-discussed claim limitations are critical to the present invention and result in significant advantages which are not achieved in the prior art of record.

Further, it appears as though there would have been no reason to modify any of the prior art of record to yield a configuration which would meet the requirements of claim 1. It is thus submitted that the invention of the present application, as defined in claim 1, is not anticipated nor rendered obvious by the prior art, and yields significant advantages over the prior art. Allowance is respectfully requested.

Claims 2-10, 15-17, and 21-23 depend, directly or indirectly, from claim 1 and are thus allowable for at least the reasons set forth above in support of claim 1.

In view of the foregoing amendments and remarks, inasmuch as all of the outstanding issues have been addressed, it is respectfully submitted that the present application is now in condition for allowance, and action to such effect is earnestly solicited. Should any issues remain after consideration of the response, however, the Examiner is invited to telephone the undersigned at the Examiner's convenience.

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